



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )

IRA D. SASOWSKY *et al.* )

Serial No. 09/776,298 )

Filed February 2, 2001 )

For A METHOD FOR REMOVING )  
METALS FROM AQUEOUS )  
SOLUTIONS USING MIXED )  
LITHIC MATERIALS )

Group Art Unit 1724

C. Barry, Examiner

**Certificate of Mailing**

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on June 2, 2003

*Sherry L. Leonard*  
Sherry L. Leonard

14  
12  
3  
RECEIVED  
JUN 06 2003  
TC 1700

**RESPONSE UNDER 37 C.F.R. § 1.116**

Commissioner for Patents  
Mail Stop Non-Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action mailed April 1, 2003, Applicants, respond as follows.

**Remarks/Arguments** begin on page 1 of this paper.

**REMARKS**

The Examiner has maintained all rejections from the Office Action mailed October 8, 2002. In support of the continued rejection of all pending claims, the Examiner provided responsive arguments to some of the arguments that Applicants submitted in their response of January 31, 2003. Having fully considered the Examiner's position, it is clear that the Examiner gives too much credit to the Behrends reference and what it teaches to those of ordinary skill in the art. Particularly, Behrends does not sufficiently describe the claimed invention to have placed it in the public's possession as required if it is to be properly employed to anticipate the present invention.

The Examiner has rejected claims 1-4, 8, 9 and 11 as being anticipated by Behrends '433, particularly at Col. 8, lines 4-11, wherein a confusing and vague disclosure of backfill



UA 372

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )

SASOWSKY et al. )

Serial No. 09/776,298 )

Filed February 2, 2001 )

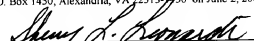
For A METHOD FOR REMOVING )  
METALS FROM AQUEOUS )  
SOLUTIONS USING MIXED )  
LITHIC MATERIALS )

Group Art Unit 1724

C. Barry, Examiner

**Certificate of Mailing**

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Mail Stop Non-Fee Amendment,  
P.O. Box 1450, Alexandria, VA 22313-1450 on June 2, 2003

  
Sherry L. Leonard

**TRANSMITTAL SHEET**

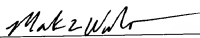
Enclosed are the following documents:

Response and Amendment (w/attached Certificate of Mailing)  
Transmittal Sheet  
Excerpt from *Dictionary of Modern Legal Usage*  
Return Receipt Postcard

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.

Respectfully submitted,

  
Ray L. Weber, Reg. No.26,519  
Mark L. Weber, Reg. No. 46,069  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
First National Tower  
Fourth Floor  
Akron, Ohio 44308  
(330) 376-1242

June 2, 2003

AT 724  
RECEIVED  
JUN 06 2003  
TC 1700